

AUG 03 2016

JULIA C. AUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

KEITH EDWARD MOSS,
Plaintiff,

v.

MAJOR ESPONOZA,
Defendant.

) Civil Action No. 7:16-cv-00218
)
)

) MEMORANDUM OPINION
)

) By: Hon. Michael F. Urbanski
) United States District Judge

Keith Edward Moss, a Virginia inmate proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff names Major Esponzoza of the Lynchburg Adult Detention Center ("Jail") as the sole defendant. However, Plaintiff does not describe any personal act or omission by the defendant. Section 1983 requires a showing of personal fault on the part of a defendant either based on the defendant's personal conduct or another's conduct in execution of the defendant's policies or customs. Fisher v. Washington Metro. Area Transit Author., 690 F.2d 1133, 1142-43 (4th Cir. 1982), abrogated on other grounds by Cnty. of Riverside v. McLaughlin, 500 U.S. 44 (1991). Accordingly, the court dismisses the complaint without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failing to state a claim upon which relief may be granted.

ENTER: This 3rd day of August, 2016.


United States District Judge